

Amend Sections 755 and 756 of the Revenue and Taxation Code to correct erroneous code section references.

Source: Property Taxes Department

Under current law, Section 755 requires the Board to transmit estimates of total state-assessed values to county auditors by July 15. Section 756 requires that the Board transmit the roll of state-assessed property to each county auditor by July 31. Both sections refer to section 98.9(i) in order to identify property that must be listed by revenue district.

In 1993, a major overhaul of the statutes relating to property tax revenue apportionment was undertaken. The results of the overhaul were codified by Chapter 1167 (Stats. 1994, AB 3347) which made technical clarifications, eliminated obsolete provisions, and reorganized the many statutes relating to property tax revenue allocation. In the reorganization, former Section 98.9 was repealed and the substance of its provisions were included in newly added Section 100. That bill essentially, but not technically, renumbered prior Section 98.9 as Section 100. The reorganization of the property tax revenue apportionment laws created a cross-referencing error in Sections 755 and 756.

This proposal would simply correct the code section referencing errors in the current law. Additionally, subdivisions 100(j) and 100(k), which similarly identify property required to be allocated to specific tax rate areas, would be added to Sections 755 and 756 to reflect amendments to former Section 98.9 adopted subsequent to the 1987 revisions to Sections 755 and 756.

Revenue and Taxation Code Section 755 is amended to read:

755. (a) On or before July 15, the board shall transmit to each county auditor an estimate of the total unitary value and operating nonunitary value of state-assessed property in the county and of nonunitary state-assessed property in each revenue district in the county. An estimate need not be made for a revenue district that did not levy a tax or assessment during the preceding year unless the board receives on or before January 1 preceding the fiscal year for which the levy is to be made a notice in writing of the proposed levy. The estimate shall be regarded as establishing the total assessed value of state-assessed property in the county and each revenue district in the county for the purpose of determining tax rates, subject only to such changes as may be transmitted on or prior to July 31. All information furnished pursuant to this section is at all times during office hours open to inspection of any interested person or entity.

(b) Notwithstanding subdivision (a), in making the estimate referred to in subdivision (a), the unitary value and nonunitary value of the property of regulated railway companies and property subject to subdivision (i), (j), and (k) of Section ~~98.9~~ 100 shall be allocated by revenue district.

Revenue and Taxation Code Section 756 is amended to read:

756. (a) On or before July 31, the board shall transmit to each county auditor a roll showing the unitary and operating nonunitary assessments made by the board in the county and the nonoperating nonunitary assessments made by the board in each city and revenue district in the county; provided, however, that the roll need not show the assessments made by the board in a revenue district which did not levy a tax or assessment during the preceding year. Such roll is at all times, during office hours, open to the inspection of any person representing any taxing agency or revenue district, or any district described in Section 2131. If the roll does not show the assessments in a revenue district as herein provided and a notice of a proposed levy is furnished the board in writing, on or before January 1 preceding the fiscal year for which the levy is to be made, the board shall furnish an estimate of the total assessed value of nonoperating nonunitary state-assessed property in the district and shall transmit thereafter to the county auditor a statement of roll change showing the nonoperating nonunitary assessments made by the board in the district.

(b) Notwithstanding subdivision (a), in making the roll referred to in subdivision (a), the unitary value and nonunitary value of the property of regulated railway companies and property subject to subdivision (i), (j), and (k) of Section ~~98.9~~ 100 shall be enrolled by revenue district.